



FILED IN DISTRICT COURT
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY MAY - 2 2017
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK

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GARY RIGGS, JR.,

Plaintiff,

vs.

FMC TECHNOLOGIES,
INC.,

Defendant.

Case No. CJ-2017-2513

CJ-2017-2513

PETITION

Plaintiff, Gary Riggs, Jr., brings this cause of action against FMC Technologies, Inc., and states as follows:

Nature of Action & Introduction

1. Plaintiff files this action seeking damages from Defendant for its wrongful termination of Plaintiff in violation of Title VII of the Civil Rights Act and 42 U.S.C. § 1981.
2. Defendant made its decision to terminate Plaintiff because of race and because of Plaintiff's reports of race discrimination.

Jurisdiction and Venue

3. All the claims herein arose in Oklahoma County, Oklahoma.
4. Defendant conducts business in Oklahoma County, Oklahoma.
5. Defendant may be served in Oklahoma County, Oklahoma.

Facts

6. Defendant hired Plaintiff in February of 2012.
7. Defendant employed Plaintiff as a service technician.

8. Plaintiff is an African-American male.
9. Plaintiff satisfied all qualifications for his position as a service technician with Defendant.
10. Plaintiff complained to human resources in July of 2016 about comments from other employees concerning his race.
11. Plaintiff was terminated on or about August 29, 2016.
12. Defendant's alleged reason for terminating Plaintiff was because Plaintiff used an incorrect tool on a job, which violated Defendant's processes and procedures.
13. Three employees were subject to the same disciplinary action on the same job that resulted in Plaintiff's termination. The non-minority, Caucasian, employee was not terminated despite committing the same or a more serious violation.
14. Defendant's real reason for terminating Plaintiff was because of his race and because of his complaints of race discrimination.
15. Plaintiff filed a charge of discrimination with the EEOC on August 30, 2016, with charge number 564-2016-01559.
16. Plaintiff received a right to sue from the EEOC on February 6, 2017.

Demand for a Jury Trial

17. The Plaintiff demands a jury trial for all issues of fact presented by this action.

Relief Requested

18. Defendant must pay Plaintiff all lost earnings, past and future. This amount has not been calculated as of this date. Plaintiff anticipates hiring an economist for proper calculation of this element of damages.
19. Defendant must pay compensatory damages including, but not limited to, pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses, which amounts to the statutory maximum of \$300,000.00.
20. Defendant's actions were willful, wanton, or, at the least, in reckless disregard of Plaintiff's rights; therefore, Plaintiff is entitled to punitive damages.
21. Defendant must pay Plaintiff his attorneys' fees, costs, and all other relief Plaintiff is entitled to because of Defendant's actions. This amount has yet to be fully determined and increases as the case progresses.

Respectfully submitted,



D. Colby Addison, OBA #32718

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